



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

March 26, 2020

OFFICE OF  
AIR AND RADIATION

Mr. David C. Frydenlund  
Chief Financial Officer, General Counsel and Corporate Secretary  
Energy Fuels, Inc.  
225 Union Boulevard., Suite 600  
Lakewood, Colorado 80228

Dear Mr. Frydenlund:

Energy Fuels, Inc. ("Energy Fuels") owns or operates the La Sal Mine Complex located near La Sal, UT ("La Sal Mine Complex"), an underground uranium mine subject to regulation under 40 C.F.R. Part 61, Subpart B. This letter is in response to your May 26, 2014, request under 40 C.F.R. 61.23(b), to use the U.S. Environmental Protection Agency (EPA or Agency) computer model AERMOD rather than the specified model COMPLY-R to demonstrate compliance with the radon dose standard at 40 C.F.R. 61. The EPA conditionally approves the request under § 61.23(b) to use AERMOD instead of COMPLY-R to demonstrate compliance and in connection with required annual reporting for the La Sal Mine Complex for calendar year 2019.

After reviewing the capabilities of both COMPLY-R and AERMOD, the Agency agrees that AERMOD can be considered an equivalent model for calculating the transport of radon at La Sal. Because COMPLY-R was designed for simplicity, and the implementation of the AERMOD model is considerably more complicated, this is a conditional approval. Essentially, the Agency has concluded that AERMOD can be used to demonstrate compliance with 40 C.F.R. Part 61 Subpart B; however, the Agency will conduct a more detailed review of the compliance report to verify that Energy Fuels has set up and run the model correctly. Energy Fuels must review the *AERMOD Implementation Guide* (EPA-454/B-19-035, August 2019), incorporate the guide's recommendations as appropriate, and to the degree possible, indicate in its annual report how it has done so. Relevant sections of the guide include, but are not necessarily limited to, the following:

- 3.1 Determining surface characteristics (01/09/08)
  - 3.1.1 Meteorological data representativeness considerations (01/09/08)
  - 3.1.2 Methods for determining surface characteristics (01/09/08)
  - 3.1.3 Use of AERSURFACE for determining surface characteristics (01/09/08)
- 4.1 Modeling sources with terrain-following plumes in sloping terrain (01/09/08)
- 6.1 Capped and horizontal stacks (12/20/16)

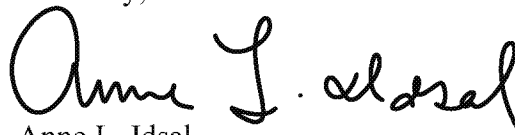
The AERMOD Implementation Guide can be downloaded from the following link:  
[https://www3.epa.gov/ttn/scram/models/aermod/aermod\\_implementation\\_guide.pdf](https://www3.epa.gov/ttn/scram/models/aermod/aermod_implementation_guide.pdf).

Furthermore, in addition to submitting the information found in §61.24(a), *Annual Reporting Requirements*, Energy Fuels must provide its AERMOD input files electronically to the Agency for review.

This conditional approval is applicable only for and to the La Sal Mine Complex and the 2019 calendar year. The EPA technical staff will use the information that you provide to examine the specific implementation of the AERMOD model at the La Sal Mine Complex. Following the EPA technical review of the use of AERMOD in your report for the 2019 calendar year, the EPA will consider the future use of AERMOD for purposes of compliance with the Subpart B NESHAP.

If you or your staff have any questions and to submit electronic files, please contact Jonathan Walsh at (202) 343-9238 or [walsh.jonathan@epa.gov](mailto:walsh.jonathan@epa.gov).

Sincerely,

A handwritten signature in black ink, reading "Anne L. Idsal". The signature is fluid and cursive, with the first name "Anne" being the most prominent.

Anne L. Idsal

Principal Deputy Assistant Administrator

cc: Jonathan Edwards, EPA ORIA  
Charles Starrs, EPA OGC ARLO  
Scott Patefield, EPA Region 8, Air and Toxics Enforcement  
Michael Stovern, EPA Region 8, Air and Toxics Enforcement  
Steven Merritt, EPA Region 8, Radiation Coordinator  
Jay Morris, Utah DEQ, Division of Air Quality  
Rik Ombach, Utah DEQ, Division of Air Quality  
EPA Regional NESHAP Coordinators